

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION

FRANKLIN L. WILLIAMS,

Petitioner,

v.

REBECA TAMEX, Warden, and
EDMUND BOOTH, U. S. Attorney,

Respondents.

CIVIL ACTION NO.: CV510-110

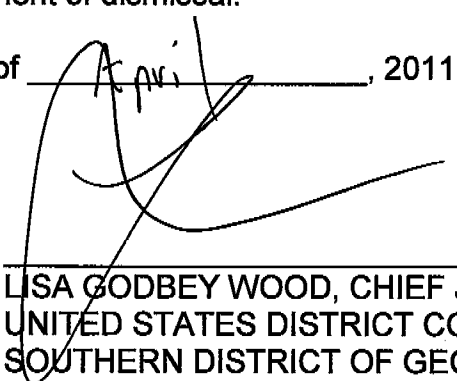
ORDER

After an independent and *de novo* review of the entire record, the undersigned concurs with the Magistrate Judge's Report and Recommendation, to which Petitioner Franklin Williams ("Williams") filed Objections. Williams asserts that he meets the requirements of 28 U.S.C. § 2255 and should be allowed to proceed with his petition. Williams' assertion is misplaced, however, as this petition attacks a conviction obtained in a court of the State of Georgia; therefore, § 2255 is inapplicable to Williams' attack on his state sentence, as this statute only applies to those individuals attacking custody imposed by a federal, not state, court. 28 U.S.C. § 2255(a).

Williams' Objections are **overruled**. The Report and Recommendation of the Magistrate Judge is adopted as the opinion of the Court. Williams' petition for writ of

habeas corpus, filed pursuant to 28 U.S.C. § 2241, is **DISMISSED**. The Clerk of Court is directed to enter the appropriate judgment of dismissal.

SO ORDERED, this 11 day of April, 2011.



LISA GODBEY WOOD, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA